

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 Rudolf Shteynberg,

4 Plaintiff,

v.

5 Von Goldberg,

6 Defendant.

Case No. 2:19-cv-1824-APG-BMW

**ORDER DENYING PENDING  
MOTIONS**

(ECF Nos. 7, 8)

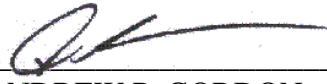
8  
9 Plaintiff Rudolf Shteynberg has filed a motion seeking to reopen this case and to be referred  
10 to a *pro bono* or private attorney. ECF Nos. 7, 8. He offers no reason to reopen this case, so I will  
11 deny that motion.

12 As for appointment of counsel, a litigant does not have a constitutional right to appointed  
13 counsel for civil cases. *See, e.g., Storseth v. Spellman*, 654 F.2d 1349, 1353 (9th Cir. 1981). The  
14 court lacks the authority to force counsel to undertake representation of a client in a civil case. *See*  
15 *Mallard v. U.S. Dist. Ct.*, 490 U.S. 296, 310 (1989). Instead, the court has discretion to request  
16 that an attorney represent an indigent civil litigant. *See* 28 U.S.C. § 1915(e)(1); *Agyeman v. Corrs.*  
17 *Corp. of Am.*, 390 F.3d 1101, 1103 (9th Cir. 2004). The court will request counsel for indigent  
18 civil litigants only in “exceptional circumstances.” *Palmer v. Valdez*, 560 F.3d 965, 970 (9th Cir.  
19 2009). In determining whether “exceptional circumstances” exist, the court considers the  
20 likelihood of success on the merits as well as the ability of the litigant to articulate his claims *pro*  
21 *se* in light of the complexity of the issues involved. *Id.* “Neither of these considerations is  
22 dispositive and instead must be viewed together.” *Id.*

1 No showing has been made that these standards are satisfied in this case, so I decline to  
2 exercise my discretion to request counsel for Mr. Shteynberg. Mr. Shteynberg may find it useful  
3 to contact the Legal Aid Center of Southern Nevada, which provides various support services for  
4 *pro se* litigants, including an “ask-a-lawyer” program. The Legal Aid Center can be contacted at  
5 (702) 386-1070, and its website is [www.lacsn.org](http://www.lacsn.org).

6 Accordingly, the plaintiff’s motion to reopen this case (**ECF No. 7**) is **denied**. The  
7 plaintiff’s motion to refer counsel (**ECF No. 8**) is **denied** without prejudice.

8 Dated: February 10, 2020.

  
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ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE